

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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PETER G. ANGELOS,

Plaintiff,

v.

TOKAI PHARMACEUTICALS, INC., JODIE POPE  
MORRISON, LEE H. KALOWSKI, SETH L. HARRISON,  
TIMOTHY J. BARBERICH, DAVID A. KESSLER,  
JOSEPH A. YANCHIK, III, BMO CAPITAL MARKETS  
CORP., STIFEL, NICOLAUS & COMPANY,  
INCORPORATED, WILLIAM BLAIR & COMPANY,  
L.L.C., and, JANNEY MONTGOMERY SCOTT LLC,

Defendants.

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Case No. 17-cv-11365-MLW

**MOTION OF TOKAI DEFENDANTS TO DISMISS FIRST AMENDED COMPLAINT**

Defendants Tokai Pharmaceuticals, Inc., Jodie Pope Morrison, Lee H. Kalowski, Seth L. Harrison, Joseph A. Yanchik, III, Timothy J. Barberich, and David A. Kessler (collectively, “Tokai Defendants”) hereby move to dismiss the First Amended Complaint of Plaintiff Peter G. Angelos.

In support of this motion, the Tokai Defendants adopt and incorporate by reference the arguments set forth in Tokai Defendants’ Memorandum in support of their Motion to Dismiss, filed on October 15, 2018.

WHEREFORE, the Tokai Defendants respectfully request that the Court allow this Motion and dismiss this action.

Dated: October 15, 2018

Respectfully submitted,

Tokai Pharmaceuticals, Inc., Jodie Pope  
Morrison, Lee H. Kalowski, Seth L. Harrison,  
Timothy J. Barberich, David A. Kessler, and  
Joseph A. Yanchik, III,

By their attorneys,

CLEMENTS & PINEAULT, LLP

/s/ Michael J. Pineault

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Professional Corporation

/s/ Boris Feldman

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**LOCAL RULE 7.1 CERTIFICATION**

In accordance with the requirements of Local Rule 7.1(a)(2), I hereby certify that counsel for the Tokai Defendants conferred with counsel for the plaintiff concerning this motion. The parties were not able to reach agreement.

/s/ Michael J. Pineault

Michael J. Pineault

**CERTIFICATE OF SERVICE**

I, Michael J. Pineault, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on October 15, 2018.

/s/ Michael J. Pineault

Michael J. Pineault